



DEPARTMENT OF TRANSPORTATION
RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION
WASHINGTON, D.C. 20590

19236

Research and Special Programs
Administration

49 CFR Part 173

[Docket No. HM-174; Amdt. Nos. 173-145,
179-27]

Shippers; General Requirements for
Shipments and Packagings; Correction

AGENCY: Materials Transportation
Bureau, Research and Special Programs
Administration, Department of
Transportation.

ACTION: Correction to final rule.

SUMMARY: This document corrects an
error in the final rule issued under
Docket HM-174 (46 FR 8005; January 26,
1981) by allowing the use of
Specification 112A tank cars for
transportation of dimethylamine,
monomethylamine and trimethylamine
until July 1, 1982.

EFFECTIVE DATE: This rule will become
effective on March 31, 1981.

FOR FURTHER INFORMATION CONTACT:
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SUPPLEMENTARY INFORMATION: This
correction is necessary because the
above named flammable gases were not
specifically identified as being affected
by the final rule issued under Docket
HM-144 (43 FR 30057; July 13, 1978).
When the final rule under HM-174 was
published, all 112A tank car entries
were modified to reflect changes for all
tank cars used to transport flammable
gases. This change affected
approximately 66 tank cars used to
transport methylamine gases which do
not meet the tank head puncture
resistance or thermal protection
requirements of regulations issued under
HM-144. In order to rectify this situation
by allowing sufficient time to retrofit
these tank cars, MTB is authorizing the
use of 112A tank cars for the
transportation of methylamine gases
until July 1, 1982.

Regulatory Impact

This correction has been determined
to be a major rule under the
visions of Executive Order 12291
since it relieves a burden on industry by

allowing sufficient time to retrofit
certain tank cars, as required by the
corrected final rule, without interrupting
the transportation of certain hazardous
materials.

Under the terms of the Department's
Notice of Postponement of Pending
Regulations, dated February 4, 1981 (46
FR 10706), the effective date for the
applicable provisions of the rules issued
under HM-174 was established as
March 31, 1981. Without this rule, the
tank cars affected by this rule would be
in violation of those provisions as of
that date, and the rail movement of the
affected materials would be interrupted,
causing a severe burden on shippers and
consumers of methylamine gases.
Therefore, the MTB has determined that
this rule responds to an emergency
situation under Section 8(a)(1) of
Executive Order 12291 since it is
impracticable to follow the provisions of
the Order with respect to the rule. There
is insufficient time prior to the March 31
effective date to allow for the full 10-day
review period required by Section
3(c)(3) of the Order for rules other than
major rules.

In consideration of the foregoing, Part
173 of Title 49 Code of Federal
Regulations is amended as follows:

1. In § 173.314(c), the table is
amended and Note 27 is added to read
as follows:

§ 173.314 Requirements for compressed
gases in tank cars.

* * *		
(c) * * *		
Kind of gas	Max- imum ¹	Required tank car ²
Dimethylamine, anhydrous.	59	DOT112T340.
	62	DOT105A300W, Notes 4, 23 and 26.
	61	DOT112T340W, 112J340W, Notes 26 and 27.
Monomethylamine, anhydrous.	60	DOT106A500X
	62	DOT105A300W, Notes 4, 23 and 26.
	61	DOT112T340W, 112J340W, Notes 4, 26 and 27.
Trimethylamine, anhydrous.	57	DOT106A500X
	59	DOT105A300W, Notes 4, 23 and 26.

Kind of gas	Max- imum ¹	Required tank car ²
	58	DOT112T340, 112J340W, Notes 26 and 27.

¹ Permitted filling density. Note 1.
² See § 173.31(a)(2) and (3).

* * * * *

Note 27.—Specification 112A tank cars
may be used until July 1, 1982.
(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53,
Appendix A to Part 1.)

Note.—The Materials Transportation
Bureau has determined that this document
will not result in a "major rule" under the
terms of Executive Order 12291 and does not
require a Regulatory Impact Analysis, nor
does it require an environmental impact
statement under the National Environmental
Policy Act (49 U.S.C. 4321 et seq.). I certify
that this document will not have a significant
economic impact on a substantial number of
small entities. A regulatory evaluation and an
environmental assessment are available for
review in the docket.

Issued in Washington, D.C. on March 23,
1981.

L. D. Santman,
Director, Materials Transportation Bureau.

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